

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**IN RE:** )      **CASE NO: 15-41161-399**  
**SAMUEL F SORBELLO** )      **Chapter 13**  
                        )  
                        )  
                        **Response Due: 05/21/2015**  
                        )  
                        )  
**Debtor**              )

**TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO MAKE PLAN PAYMENTS  
AND NOTICE**

**COMES NOW** John V. LaBarge, Jr., Standing Chapter 13 Trustee in Bankruptcy, and for his Motion to Dismiss states as follows:

1. That the above-captioned case was filed on February 24, 2015. The debtor's plan proposes to pay the sum of \$317.50 per month.
2. Pursuant to 11 U.S.C. § 1326(a)(1) the debtor's first payment was due on March 26, 2015.
  
3. That the Trustee has received payments from the debtor over the last nine months as set forth in Exhibit A, attached hereto.
4. That the amount due to the Trustee to date is \$635.00 but the total paid into the plan to date is \$0.00.
5. That the debtor is \$635.00 in default through April 30, 2015.
6. This case was previously converted from Chapter 7 to Chapter 13.

**WHEREFORE** the Trustee prays the Court enter its order dismissing this Chapter 13 case for failure to make plan payments.

**NOTICE OF FILING OF MOTION TO DISMISS**

Please take notice that the Chapter 13 Trustee has filed a Motion to Dismiss. Any responsive pleadings, if one is to be filed, must be filed in writing with the U.S. Bankruptcy Court, 111 S 10TH ST 4TH FL, ST LOUIS, MO 63102, and with the Chapter 13 Trustee at the address indicated below, within 21 days of the date of this notice. If no responsive pleading is filed, the motion may be granted without further notice to any party upon submission of an order from the Trustee. If a response is filed, this matter will be set for hearing upon subsequent notice.

**15-41161-399****TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO  
MAKE PLAN PAYMENTS AND NOTICE****04/30/2015  
Page 2 of 2**

The undersigned hereby certifies that a copy of the foregoing motion and notice was served upon the following either through the Court's ECF system or by regular mail this day of April 30, 2015.

Dated: April 30, 2015

MTDPYM--AH

/s/ John V. LaBarge, Jr.

John V. LaBarge, Jr.  
Standing Chapter 13 Trustee  
P.O. Box 430908  
St. Louis, MO 63143  
(314) 781-8100 Fax: (314) 781-8881  
trust33@ch13stl.com

SAMUEL F SORBELLO  
9742 HWY 21  
HILLSBORO, MO 63050

DEAN MERIWETHER  
3919 WASHINGTON BLVD  
ATTORNEY  
ST LOUIS, MO 63108

**EXHIBIT A****RECEIPTS FROM 07/30/2014 TO 04/30/2015**

<b>Receipt Date</b>	<b>Receipt Amount</b>	<b>Receipt Type</b>
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